

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**SHEET METAL WORKERS' UNION  
LOCAL #441, HEALTH and WELFARE  
FUND, et al.,**

**Plaintiffs,**

**v.**

**ACE FABRICATION, INC. and  
WILLIAM F. STEWART, III,  
and ROBIN C. STEWART, individually,**

**Defendants.**

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\* **Case No.: 1:11-cv-00191-WS-M**

**MOTION TO WITHDRAW AS COUNSEL**

COMES NOW, James Rebarchak, one of the attorneys for the Defendants in the above-styled cause, and moves this Honorable Court to withdraw as counsel for the Defendants. As ground therefore, the Defendants' counsel shows into this Honorable Court as follows:

1. The Defendants have recently discovered a conflict which cannot be waived.
2. The Defendants' counsel has informed the defendants of same and they have agreed to find other counsel.

WHEREFORE, these premises considered, the Defendants move this Honorable Court to grant their motion to withdraw as counsel for the Defendants in the above-styled cause.

Respectfully submitted,

/s/James Rebarchak  
James Rebarchak (REBAJ2308)  
Kirkland E. Reid (KREID9451)  
Attorneys for Defendants

OF COUNSEL:

Jones, Walker, Waechter, Poitevent,  
Carrere & Denegre, L.L.P.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of May 2011, I electronically filed the foregoing via the CM/ECF system, which will send notification to:

Allison S. Kahalley  
Kimberly Calametti Walker  
The Gardner Firm  
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/s/James Rebarchak  
James Rebarchak